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7 UNITED STATES BANKRUPTCY COURT

8 EASTERN DISTRICT OF CALIFORNIA – MODESTO DIVISION

9 In re:

10 DURLABH DAHYA GANDHI,
11 Debtor.

Case No: 16-90910
DC No: TLC-2

Chapter 13

Date: April 17, 2018
Time: 10:00 a.m.
Place: 1200 I Street, Ste. 4, Modesto, CA

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DEBTOR'S MOTION TO CONFIRM FIRST MODIFIED CHAPTER 13 PLAN

15 Durlabh Dahya Gandhi ("Debtor") hereby moves to modify his Plan on the following grounds:

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1. The Third Amended Plan, filed on or about February 20, 2017, provides that I shall
2 pay the Trustee a total of \$5,164.00 through month 3. Beginning in month 4, I shall
3 pay the Trustee \$558.00 per month in months 4-60 and that Class 7 General
4 Unsecured Creditors with timely filed claims will receive a 100% dividend through
5 the plan.
 6. Since filing, Trustee has issued the Notice of Filed Claims in debtor's case. Debtor's
7 real property taxes came in higher than originally listed and therefore the plan needs to
8 be modified to provide for the entire claim. Debtor had also listed the Internal
9 Revenue Service as a Class 5 Priority Claim; however the Internal Revenue Service
10 has filed its claim as a Class 7 Non-Priority General Unsecured Claim.
 11. As the debtor's income is limited, debtor's son, Erik Gandhi has agreed to gift the
12 debtor \$416.00 per month to help the debtor with the increased plan payment.

- 1 4. A true and correct copy of debtor's Amended Schedule I is located in the List of
2 Exhibits as Exhibit "A".
3 5. In consideration of the foregoing, Debtor proposes the following changes to his Plan:
4 Debtor shall pay the Trustee a total of \$13,392.00 through month 17. Then beginning
5 in month 18, I shall pay the Trustee \$974.00 per month in months 18-60. A true and
6 correct copy of the Plan is filed concurrently herewith in the List of Exhibits as
7 Exhibit "A".
8 6. Changing the plan will not affect the Plan's feasibility and will continue to pay 100%
9 to all timely filed unsecured claims.

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11 Dated: 3/5/18

Respectfully submitted,
BORTON PETRINI, LLP

/s/ 
Tamie L. Cummins, Attorney for Debtor
Durlabh Dahya Gandhi